REMARKS/ARGUMENTS

This Application has been carefully reviewed in light of the Office Action mailed August 25, 2006. Claims 1-18 were filed in this Application of which claims 2, 8, and 14 are cancelled, claims 1, 7, 10-13, 15-18 are currently amended, and no claims are currently added. Thus, Claims 1, 3-7, 9-13, and 15-18 are currently pending in this Application.

In view of the following remarks and amendments to the claims, Applicants respectfully submit that all of the claims of the above-identified application are in condition for allowance. Reconsideration of the claims is respectfully requested.

I. Drawings

The Examiner objected to the drawings because descriptive textual labels are needed for reference characters 102, 104, 106, 108, 110, 112, 120, 122, and 124 in Figure 1. A replacement drawing sheet accompanies this paper with appropriate corrections. In particular, textual labels have been added for reference characters 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, and 124 in Figure 1. No new matter is intended or believed to be added by these corrections.

II. Specification

The Examiner objected to the disclosure because the disclosure makes reference to abbreviations DNS 432, NTDS 434, KCC 436, and FSMO check 438 but fails to disclose the meaning of those terms. The specification has been amended appropriately to supply the meanings of the abbreviations. Of

note, NTDS refers to NT Domain Server where the "NT" refers to Microsoft NT operating system. No new matter is intended or believed to be added by these amendments.

III. 35 U.S.C. § 101

The Examiner rejected claims 1-18 as directed to non-statutory subject matter. This rejection is respectfully traversed.

In making this rejection, the Examiner states that claim 1 "does not recite steps taken 'if an error is not indicated by one of the event logs' and actions to be taken 'if the corrective actions are not authorized'" and "therefore the claim does not present a tangible result." (Office Action, dated August 25, 2006, page 4). However, it is well settled that a claim utilizing the transitioning word "comprising" need not include every element that may be included in an implementation, but is only required to include those elements that render the claim novel and non-obvious over the prior art. In the present case, claim 1 outlines, among other things, steps for determining whether an error occurred and implementing appropriate corrective actions when an error has occurred. Thus, claim 1 does produce a tangible result, i.e., correcting errors that may occur in a directory service in order to improve the operation of a directory service. The mere fact that claim 1 does not outline procedures for other situations does not mean that claim 1 does not produce a tangible result. Therefore, claim 1 is directed toward statutory subject matter.

The arguments in support of patentability of claim 1 apply to claims 2-18 as well. Therefore, claims 2-18 are directed toward statutory subject matter as well.

Therefore, the rejection of claims 1-18 under 35 U.S.C. § 101 has been overcome.

IV. 35 U.S.C. § 112, first paragraph (written description)

The Examiner rejected claims 6, 12, and 18 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

The test for determining compliance with the written description requirement is whether the disclosure of the application as originally filed reasonably conveys to the artisan that the inventor had possession at that time of the later claimed subject matter, rather than the presence or absence of literal support in the specification for the claim language. *In re Kaslow*, 707 F.2d 1366, 1375, 217 U.S.P.Q. 1089, 1096 (Fed. Cir. 1983); *In re Edwards*, 558 F.2d 1349, 1351, 196 U.S.P.Q. 465, 467 (CCPA 1978); *In re Herschler*, 591 F.2d 693, 701, 200 U.S.P.Q. 711, 717 (CCPA 1979). To satisfy the written description requirement, the claimed invention need not be expressed *ipsis verbis* in the original specification. *In re Wertheim*, 541 F.2d 257, 262, 190 U.S.P.Q. 90, 96 (C.C.P.A. 1976) ("It is not necessary that the application describe the claim limitations exactly, . . . but only so clearly that persons of ordinary skill in the art will recognize from the disclosure that appellants invented processes including those limitations."); *In re Wright*, 866 F.2d 422, 425, 9 U.S.P.Q.2d 1649, 1651 (Fed. Cir. 1989) ("[T]he claimed subject matter need

not be expressed *in haec verba* in the specification in order for that specification to satisfy the written description requirement."). The fact that the exact words in question may not be in the specification is not important. *In re Wright*, 866 F.2d 422, 425, 9 U.S.P.Q.2d 1649, 1651 (Fed. Cir. 1989). In determining whether the written description requirement is satisfied, the specification as a whole must be considered. *In re Wright*, 866 F.2d 422, 425, 9 U.S.P.Q.2d 1649, 1651 (Fed. Cir. 1989).

Claim 6, as originally filed, includes the limitation of "responsive to a determination that an error exists preventing the component from functioning properly, consulting a knowledge base to determine if an entry for the error is contained within the knowledge base." The Examiner has read this as including the limitation of a step of "preventing the component from functioning properly." However, this is an incorrect reading of claim 6. Claim 6 should be read as the step of consulting a knowledge base to determine if an entry for the error is contained within the knowledge base when it has been determined that an error exists that prevents the component from functioning properly. Thus, the action is "consulting a knowledge base" in response to a determination that "an error exists preventing the component from functioning properly." Support for such a feature is found throughout the specification as filed. See, for example, page 12, lines 20-27 of the specification as filed which states "[t]he system determines whether an error is found (step **406**) and, if yes, the system queries a knowledge base for the error (step **408**). The knowledge base is a database containing a listing of potential errors that may occur within the network, such as,

for example, network **100**, and contains a list of corrective actions corresponding to the listing of errors."

Therefore, when claim 6 is read properly, it is clear that claim 6 satisfies the requirements of 35 U.S.C. § 112, first paragraph. Claims 12 an 18 include similar limitations to claim 1 and therefore satisfy the requirements of 35 U.S.C. § 112, first paragraph for similar reasons. Thus, the rejection of claims 6, 12, and 18 under 35 U.S.C. § 112, first paragraph has been overcome.

V. 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1-18 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has also rejected claims 1-18 under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. These rejections are respectfully traversed.

Claims 1, 7, and 13 have been amended to include the phrase "and checking for errors" which supplies the antecedent basis allegedly missing for the phrase "responsive to a determination" step.

Whether the claim leaves unclear the manner in which elements for proceeding when an error is not indicated or elements for the case when authorization is not granted for may be implemented is irrelevant where the claim clearly covers all forms of implementation. *In re Warmerdam*, 33 F.3d 1354, 1361, 31 U.S.P.Q.2d 1754, 1759 (Fed. Cir. 1994). Determining whether

a claim is indefinite requires an analysis of whether one skilled in the art would understand the bounds of the claim when read in light of the specification. *Credle v. Bond*, 25 F.3d 1566, 1576, 30 U.S.P.Q.2d 1911 (Fed. Cir. 1994). The claim is not indefinite if one skilled in the art would have no particular difficulty in determining whether the claimed features have been implemented. *In re Warmerdam*, 33 F.3d 1354, 1361, 31 U.S.P.Q.2d 1754, 1759 (Fed. Cir. 1994). The claim limitation is sufficient to enable those skilled in the art to draw a line between embodiments falling within the scope of the claim and those which do not. *In re Marosi*, 710 F.2d 799, 802-03, 218 U.S.P.Q. 289, 292 (Fed. Cir. 1983). It is not the role of the claims to teach one skilled in the art to reproduce the invention, but rather to define the legal metes and bounds of the invention. *In re Rainer*, 305 F.2d 505, 509, 134 U.S.P.Q. 343, 346 (C.C.P.A. 1962). If the metes and bounds of the claimed invention are clearly ascertainable, then the claim cannot be properly rejected as "vague" or "indefinite" under 35 U.S.C. § 112, second paragraph.

Claims, 1-18, as amended, are directed toward steps for, among other things, determining whether an error has occurred and steps for correcting the error should an error have been determined to have occurred. Claims 1, 7, and 13 are not directed toward a directory service in general and the applicant makes no claims to have invented a directory service in general, therefore, it is not necessary to recite the steps of implementing a directory service, but merely the steps the applicant considers to be novel and non-obvious which in the present case are directed towards, among other things, error diagnosis and correction. Therefore, claims 1-18 as amended do

not lack an essential element and are therefore not indefinite, thus, satisfying the requirements of 35 U.S.C. § 112, second paragraph. Therefore, the rejection of claim 1-18 under 35 U.S.C. § 112, second paragraph has been overcome.

VI. 35 U.S.C. § 103, Obviousness (Claims 1, 3, 7, 9, 13, and 15)

The examiner has rejected claims 1, 3, 7, 9, 13, and 15 under 35 U.S.C. §103(a) as being unpatentable over Sachse et a. (U.S. Patent No. 6,985,901 B1; hereinafter Sachse) in view of Ganesh et al. (U.S. Patent No. 6,961,865 B1; hereinafter Ganesh). This rejection is traversed.

Claims 1, 7, and 13 have been amended to include the limitations of claims 2, 8, and 14 respectively. Claims 2, 8, and 14, as recognized by the Examiner, contain limitations not taught or suggested by Sachse or Ganesh, either individually or in combination. Claims 2, 8, and 14 have been canceled. Therefore, claims 1, 7, and 13 are not rendered obvious by Sachse in view of Ganesh.

Claims 3, 9, and 15 depend from respective ones of claims 1, 7, and 13. Therefore, the same rationale providing support for patentability for claims 1, 7, and 13 apply to claims 3, 9, and 15. Thus, claims 3, 9, and 15 are not rendered obvious by Sachse in view of Ganesh.

Therefore, the rejections of claims 1, 3, 7, 9, 13, and 15 under 35 U.S.C. § 103(a) has been overcome.

II. CONCLUSION

It is respectfully urged that the subject application is patentable over Sachse et al. and Ganesh et al. and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Applicants hereby re-submit the Response to Non-Final Office Action filed on November 27, 2006 to correct the status identifiers of claims 16-18, in response to the Notice of Non-Compliant Amendment mailed February 12, 2007. Applicants are filing this Response to Notice of Non-Compliant Amendment thirty (30) days from the mail date of this notice. Therefore, no extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to Deposit Account No. 07-0153.

If the Examiner has any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below.

Please direct all correspondence to the practitioner listed below at Customer No. 38851.

Respectfully submitted,

Michael A. Rahman
Registration No. 43,872

Gardere Wynne Sewell LLP
Thanksgiving Tower
1601 Elm Street, Suite 3000
Dallas, Texas 75201-4761
Telephone: 214.999.4992
Facsimile: 214.999.3992
Email: mrahman@gardere.com

ATTORNEY FOR APPLICANTS

March 13, 2007